**January 29, 2009** 

## UNITED STATES COURT OF APPEALS Elisabeth A. Shumaker Clerk of Court FOR THE TENTH CIRCUIT

VINCENT F. RIVERA,

Plaintiff - Appellant,

v.

BILL RICHARDSON, Governor; DOMINGO P. MARTINEZ, Auditor General; REBECCA VIGIL-GIRON, Secretary of State; ROBERT E. VIGIL, Treasurer; PATRICIA LYONS, Land Mgmt. Dir.; PETE DOMENICI, US Sen.; SENATE ENERGY & NATURAL RESOURCES COMMISSION; HEATHER WILSON; TOM UDALL, US Reps., officially and personally, (D.C. No. 1:06-CV-00736-MCA-KBM)

No. 08-2294

Defendants - Appellees.

## **ORDER**

The captioned appeal is dismissed for lack of prosecution pursuant to 10th Cir.

R. 42.1.

A copy of this order shall stand as and for the mandate of this court.

Entered for the Court,

ELISABETH A. SHUMAKER, Clerk

Elisabeta a. Shumake